



6/29/05

## MINIMUM WAGE

### SB 318 (BASHAM)

SB 318 will increase the minimum wage by .75 cents to \$5.90 and to continue to rise until 2007 when it will be \$7.15 an hour.

- The DEMS moved to discharge SB 318 from committee. The Republican motion to postpone the discharge motion for the day was upheld. [RC 286: 22 yes, 15 no].

## BUDGETS

### HB 4887 (Moolenaar)

#### SCHOOL AID BUDGET

HB 4887 makes appropriations to the state's 552 local school districts, 216 public school academies, and 57 intermediate school districts for operations and certain categorical programs. It also appropriates funds to the Center for Education Performance, Department of Labor and Economic Growth, and other entities to implement certain grants and other programs related to K-12 education.

Each district would receive \$175 per pupil -- the amount recommended by Democratic Governor Jennifer Granholm and passed by the Republican-controlled Senate. But most of the \$25 million that House Republicans had slated to begin a new program to boost middle school math classes would instead be redirected to the lower-funded districts.

Districts whose per pupil foundation grant would be below \$7,200 after the \$175 increase would receive an extra \$25 per pupil, creating effectively a new minimum foundation grant of \$6,900 compared to the current minimum of \$6,700. For those districts that would surpass \$7,200 with the extra \$25, they would receive only enough to take them to \$7,200.

The extra \$25 per pupil would cost \$22.7 million. The remaining \$2.3 million would provide a \$6 per pupil subsidy to districts for each of their middle school students to boost math offerings.

- Johnson S-2 was adopted [no RC].
- HB 4887 was moved to 3<sup>rd</sup> Reading.
- HB 4887 passed with IE [RC 291: 22 yes, 15 no].

# MESSAGES FROM THE HOUSE

## **SB 189 (Birkholz)**

SB 189 would require a retail seller of ephedrine or pseudoephedrine products to maintain them behind a counter, within a locked case, or where the attendant could monitor them, or use an antitheft device on the products along with constant video surveillance.

- The Senate concurred with the House changes to SB 189 [RC 289: 37 yes, 0 no].

## **SB 303 (Toy)**

SB 303 would require the Department of Management and Budget to give a preference to a qualified disabled veteran of up to 10% of the amount of a competitively bid contract for items needed by State agencies. The bill would make it the goal of the Department to award each year at least 3% of its total expenditures for construction, goods, and services to qualified disabled veterans.

- The Senate concurred with the House changes to SB 303 [RC 290: 37 yes, 0 no].

## **SB 352 (Hardiman)**

SB 352 would allow a pharmacy to perform centralized prescription processing services or outsource those services to another pharmacy if certain conditions were met. Specifically, a pharmacy that performed, or contracted for, centralized prescription processing services would have to maintain a policy and procedures manual, along with documentation that implementation was occurring, and each would have to be made available to the Michigan Board of Pharmacy for inspection and review upon request.

- The Senate concurred with the House changes to SB 352 [RC 287: 37 yes, 0 no].

## **HB 4434 (Hummel)**

HB 4434 would allow a pharmacy to perform "centralized prescription processing services," or to outsource those services to another pharmacy, if certain conditions are satisfied.

- The Senate concurred with the House changes to HB 4434 [RC 288: 37 yes, 0 no].

# FINAL PASSAGE

## **SB 373 (McManus)**

## **SB 620 (Patterson)**

## **HB 4465 (Steil)**

SB 373 and HB 4465 would prohibit a person from: 1) Engaging in computer-assisted shooting. 2) Providing or operating, with or without remuneration, facilities for computer-assisted shooting. 3) Providing or offering to provide, with or without remuneration, equipment specially adapted for computer-assisted shooting.

SB 373:

- *Committee 1 (S-3) was adopted. (6/28)*

- *Patterson 1A (3 amends) was adopted.*
- *SB 373 was moved to 3<sup>rd</sup> Reading.*
- **SB 373 passed [RC 295: 37 yes, 0 no]. (6/29)**

HB 4465:

- *Committee 1 (S-1) was adopted. (6/28)*
- *Patterson 1A (3 amends) was adopted.*
- *HB 4465 was moved to 3<sup>rd</sup> Reading.*
- **HB 4465 passed with IE [RC 297: 37 yes, 0 no]. (6/29)**

SB 620 would prescribe criminal penalties for computer-assisted shooting (which SB 373 and HB 4465 would prohibit). A person who committed a violation would be guilty of a misdemeanor punishable by imprisonment for up to 93 days and/or a maximum fine of \$500.

- *Committee 1 (S-1) was adopted. (6/28)*
- *SB 620 was moved to 3<sup>rd</sup> Reading.*
- **Patterson 1 was adopted [no RC].**
- **SB 620 passed [RC 296: 37 yes, 0 no]. (6/29)**

### **SB 503 (Hammerstrom)**

SB 503 allow an individual to designate on his or her annual return that a contribution of \$5 or more of his or her refund be credited to the Children's Trust Fund. Currently, an individual could designate on his or her annual return that a contribution of \$2 or more of his or her refund be credited to the Fund until the State Treasurer certified that the assets in the Fund exceeded \$20 million (which occurred in 2000).

- *SB 503 was moved to 3<sup>rd</sup> Reading. No amendments. (6/28)*
- **SB 503 passed [RC 303: 37 yes, 0 no]. (6/29)**

### **SB 553 (Allen)**

SB 553 would allow confidential information in the possession of the Unemployment Insurance Agency to be made available to the U.S. Census Bureau. The Local Employment Dynamics (LED) program is a partnership between the Census Bureau and state governments to improve the quality, timeliness and usefulness of labor market information. By sharing state wage record data with the Census Bureau and participating in the LED program, Michigan would be able to access employment patterns for specific demographic groups a local level.

- *Committee 1 (S-1) was adopted. (6/28)*
- *SB 553 was moved to 3<sup>rd</sup> Reading.*
- **SB 553 passed [RC 293: 37 yes, 0 no]. (6/29)**

### **SB 578 (Cassis)**

SB 578 would provide a technical correction to the General Property Tax Act regarding the poverty exemption. Current law requires someone who seeks a poverty exemption to file Federal and State tax returns with the local board of review; however, many people within the poverty exemption range do not file such returns. The bill removes the absolute requirement to file the forms, and limits their filing to people who would otherwise be required to file the forms under other laws.

- *SB 578 was moved to 3<sup>rd</sup> Reading. No amendments. (6/28)*

- SB 578 passed [RC 294: 37 yes, 0 no]. (6/29)

### **HB 4322 (Jones)**

HB 4322 would require a retail seller of ephedrine or pseudoephedrine products to maintain them behind a counter, within a locked case, or where the attendant could monitor them, or use an antitheft device on the products along with constant video surveillance. Also, the bills would provide that a retail seller would have to require photo identification for the purchase of an ephedrine or pseudoephedrine product. Pseudoephedrine derived from over-the-counter medications is an important ingredient in the production of the drug methamphetamine.

- *HB 4322 was moved to 3<sup>rd</sup> Reading. No amendments.* (6/28)
- **HB 4322 passed with IE [RC 301: 35 yes, 0 no]. (6/29)**

### **HB 4541 (BYRUM)**

HB 4541 would allow members of the general public under certain circumstances to bring alcohol purchased elsewhere into a motorsports entertainment complex for consumption on the complex grounds. The bill would allow drag strips and oval racing tracks without liquor licenses as small as 1,500 seats to allow patrons to bring their own alcoholic beverages as long as the tracks meet certain conditions. Because most motorsports entertainment complexes in the state do not sell alcohol, it has been a longstanding practice for race fans to bring their own alcoholic beverages. Only recently have track owners realized that in permitting this, they are violating a provision of the liquor code that prohibits the consumption of alcoholic beverages on unlicensed premises if the establishment also serves food.

- *Committee 1 (1 amend) was adopted.* (6/28)
- *HB 4541 was moved to 3<sup>rd</sup> Reading.*
- **HB 4541 passed with IE [RC 292: 37 yes, 0 no]. (6/29)**

### **HB 4714 (Pavlov)**

### **HB 4715 (Hansen)**

### **HB 4716 (Farhat)**

### **Non-Native Species Package**

House Bills 4714-4716 place greater restrictions on the possession and release of certain nonnative, invasive species of plants and insects. The bills would prohibit an individual from knowingly possessing a prohibited or restricted species, except in certain limited circumstances, and also prohibit the release of a prohibited or restricted aquatic plant or insect species, or a genetically engineered or nonnative aquatic plant into any area where it is not already naturalized, except as authorized under a permit.

Department of Natural Resources, Department of Agriculture, Michigan Environmental Council, Michigan United Conservation Clubs, Michigan Manufacturers Association, Heart of the Lakes, Michigan Farm Bureau -- The entire package of bills is necessary to guard against the introduction and infestation of nonnative, invasive aquatic plants and insects in the state. These species can severely damage wildlife habitat and may present a serious threat to the public health of the state.

### **HB 4714:**

- *HB 4714 was moved to 3<sup>rd</sup> Reading. No amendments.* (6/28)
- **HB 4714 passed with IE [RC 298: 37 yes, 0 no]. (6/29)**

HB 4715:

- *HB 4715 was moved to 3<sup>rd</sup> Reading. No amendments. (6/28)*
- *HB 4715 passed with IE [RC 299: 36 yes, 0 no]. (6/29)*

HB 4716:

- *HB 4716 was moved to 3<sup>rd</sup> Reading. No amendments. (6/28)*
- *HB 4716 passed with IE [RC 300: 36 yes, 0 no]. (6/29)*

### **HB 4821 (Mortimer)**

HB 4821 would allow for the establishment of a statewide pharmacists peer review entity. The bill would include in the definition of "review entity" an organization established by a state association of pharmacists that collects and verifies the authenticity of documents and other data on the qualifications, competence, or performance of licensed pharmacists and pharmacies. Review entities perform an important function in the health care system, by reviewing the appropriateness, necessity, and quality of health care rendered and the competence and performance of health care providers with the ultimate goals of saving lives and preventing injuries caused by inappropriate care.

- *HB 4821 was moved to 3<sup>rd</sup> Reading. No amendments. (6/28)*
- *HB 4821 passed with IE [RC 302: 35 yes, 0 no]. (6/29)*

## **THIRD READING**

### **SB 34 (JACOBS)**

SB 34 would allow municipalities (cities, townships, villages) to establish corridor improvement authorities for the purpose of encouraging redevelopment of commercial areas that have worn down and are in need of financial rescue.

- *Committee 1 (S-4) was adopted.*
- *SB 34 was moved to 3<sup>rd</sup> Reading.*

### **SB 129 (Sanborn)**

### **SB 247 (Allen)**

### **SBs 601-15 (GOP)**

### **SEX OFFENDER PACKAGE**

SB 129 would allow a sentencing court to: 1) Place a person on probation for a minimum of five years if he or she were convicted of certain child sexual assault crimes or kidnapping. 2) Prohibit a person placed on probation under the bill from living within one mile of a school or entering upon school property.

- *Cropsey 1 was adopted.*
- *Committee 1 (S-2) was adopted.*
- *SB 129 was moved to 3<sup>rd</sup> Reading.*

SB 247 would include special education personnel in requirements for State Police and FBI criminal history checks, and require a school district, public school academy, or nonpublic school to notify an applicant if a

criminal history check revealed a felony conviction or a conviction of a misdemeanor involving sexual or physical abuse.

- SB 247 was moved to 3<sup>rd</sup> Reading. No amendments.

SB 601 would require all school employees, including part-time and contractual, to be subject to criminal background checks. Further, the bill requires that any individual convicted of an offense that warrants registry on the sex offenders registry cannot be employed in any school. A person convicted of a felony, other than those requiring registration, cannot be employed unless the superintendent or school board specifically approve the employment in writing.

- Committee 1 (S-2) was not adopted.
- Van Woerkom (S-3) was adopted.
- SB 601 was moved to 3<sup>rd</sup> Reading.

SB 605 would make the sentencing guidelines conform to provisions in SB 130 which would prohibit a person who was convicted of a "listed offense" from serving as a coach on an independent youth athletic team based in Michigan, unless the person disclosed to the team's sanctioning organization that he or she had been convicted of a listed.

- SB 605 was moved to 3<sup>rd</sup> Reading. No amendments.

SB 606 would make the sentencing guidelines conform to provisions in SB 607 which provides for criminal penalties for sex offenders failure to update sex offender registration.

- Committee 1 (S-1) was adopted.
- SB 606 was moved to 3<sup>rd</sup> Reading.

SB 607 provides for criminal penalties for sex offenders failure to update sex offender registration.

- Committee 1 (S-1) was adopted.
- SB 607 was moved to 3<sup>rd</sup> Reading.

SB 608 would allow evidence of past criminal sexual offenses against a minor, resulting in a conviction or acquittal, to be admissible in court as to the individual's character in any other criminal proceeding in which the individual is alleged to have committed a new crime or kidnapping against a minor.

- Cropsey 1 was adopted.
- Committee 1 (S-1) was adopted.
- SB 608 was moved to 3<sup>rd</sup> Reading.

SB 609 would disallow tenure rights to a teacher convicted of a crime requiring registry on the sex offenders list.

- Committee 1 (S-1) was not adopted.
- Kuipers (S-2) was adopted.
- SB 609 was moved to 3<sup>rd</sup> Reading.

SB 610 would add misdemeanors that require registration on the sex offenders registry to those crimes for which a teaching certificate can be suspended. The bill would also provide for escrow of wages for a person convicted of crimes that require a summary suspension of certification (including any of those that require

registration on the sex offenders registry) until such time as a final determination is made regarding the certificate. If the certificate is not suspended or revoked, the employee receives the wages. If it is, the wages are returned to the school district.

A person who is convicted of a crime requiring registration on the sex offenders registry is not entitled to petition for reinstatement of a teaching certificate.

- Committee 1 (S-1) was not adopted.
- Kuipers (S-2) was adopted.
- SB 610 was moved to 3<sup>rd</sup> Reading.

SB 611 would amend the sentencing guidelines to make failure to report a charge or conviction by a school employee a felony (established by SB 612).

- Committee 1 (S-1) was adopted.
- SB 611 was moved to 3<sup>rd</sup> Reading.

SB 612 would require school employees to report to the department and their employing unit if they are charged with a crime for which a teaching certificate can be suspended. Under the package, this would include any offense which requires registration on the sex offenders registry. Failure to report a charged felony is a felony punishable by not more than two years or a fine of not more than \$2000, or both. Failure to report a misdemeanor is a misdemeanor punishable by imprisonment for not more than a year or a fine of not more than \$1000, or both.

- Johnson 2 was adopted.
- Committee 1 (S-1) was not adopted.
- SB 612 was moved to 3<sup>rd</sup> Reading.

SB 613 would add to the sentencing guidelines failure to report felony charges to an employer, as SB 614 would require. The offense would be a felony punishable by up to two years' imprisonment.

- SB 613 was moved to 3<sup>rd</sup> Reading. No amendments.

SB 614 would require child care centers/day care centers to perform background checks on potential employees using the Dept. of State Police's Internet database. If the background check revealed that an individual has been convicted of a listed offense under the Sex Offenders Registration Act, the center would not be allowed to offer that person a job.

- Hardiman (1a) was adopted.
- Coleman (1b) was adopted.
- Jacobs (1c) was adopted.
- Jacobs (1d) was adopted.
- Committee (S-1) was adopted.
- SB 614 was moved to 3<sup>rd</sup> Reading.

SB 615 would require day care provider licensees to undergo a criminal background check when applying for or renewing a license; if a licensee/potential licensee does not undergo the check, Dept. of Human Services would not be allowed to grant/renew a license.

- SB 615 was moved to 3<sup>rd</sup> Reading.



## **SB 540 (Sanborn)**

SB 540 would exempt professional employer organization employees from licensing/registration requirements to be a mortgage broker, lender. If a mortgage broker is licensed or registered and has employees solely engaged in providing services of just that one broker, the employees are not required to be licensed/registered. This bill takes into account the role of PEOs and extends the same waiver to PEO employees.

- Sanborn 1 was adopted [no RC].
- SB 540 was moved to 3<sup>rd</sup> Reading.

## **SB 599 (George)**

SB 599 would create a new category of brownfield credits in the Single Business Tax Act, and expedite the processing of these credits. The credit would apply to projects with a cost of \$2 million or less and eligible for a credit of \$200,000. There would be no more than 100 projects approved in each year. MEGA would be able to use only the following criteria in deciding to approve a project: 1) The project is eligible for investment; 2) The project is on property that is a facility, is blighted or is functionally obsolete; 3) The project will create jobs.

Support: Michigan Chamber of Commerce, Michigan Bankers Association, and the Community Economic Development Association of Michigan.

- SB 599 was moved to 3<sup>rd</sup> Reading. No amendments.

## **HB 4825 (MURPHY)**

HB 4825 would amend the Children's Trust Fund act to eliminate that restriction on disbursements. Currently, once the total assets in the fund exceed \$20 million, only the interest and earnings credited to the trust fund are available for disbursement. Instead, up to one-half of the money contributed to the fund each year, and the earnings credited to the fund during the previous fiscal year, would be available for disbursement. The Children's Trust Fund was established by the legislature in 1982 to fund efforts to prevent child abuse and neglect.

- HB 4825 was moved to 3<sup>rd</sup> Reading. No amendments.

## **HB 4826 (Baxter)**

HB 4826 would increase the number of public members on the Child Abuse and Neglect Prevention Board from 10 to 11. This would restore the total membership to 15; a member was lost when the departments of Mental Health and Public Health merged since both department directors served on the board.

- HB 4826 was moved to 3<sup>rd</sup> Reading. No amendments.

## **SB 351 (Hammerstrom)**

SB 351 would amend the Public Health Code and add Part 165 to the Code to provide for the registration of acupuncturists. The bill would do all of the following: Establish a \$75 application processing fee and an annual \$150 registration fee. Prohibit an individual from calling himself or herself an acupuncturist, or using certain other titles, without being registered. Create the Michigan Board of Acupuncture within the Department of Community Health (DCH). Require the DCH, in consultation with the Board, to promulgate rules setting forth the minimum standards for registration as an acupuncturist.



- Committee S-1 was adopted.
- SB 351 was moved to 3<sup>rd</sup> Reading

#### **HB 4275 (Vander Veen)**

The bill would require the Board of State Canvassers to declare a ballot question petition sufficient unless it determined that the petition was not in proper form or that the number of valid signatures was less than the required minimum number. In determining the sufficiency of the petition form, the Board could not consider the substance of the proposal affixed to the petition.

- HB 4275 was moved to 3<sup>rd</sup> Reading. No amendments.